IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Misc. Application No. 227 of 2003

Daljeet Singh and others ……..…..Petitioners.

Vs.

State of Uttaranchal and another ……...……...……Respondents.

Hon'ble Irshad Hussain, J.

Heard Sri Arvind Vashistha learned counsel for the petitioners, Sri A. Rab leaned A.G.A. for State and Sri Vinod Sharma and Sri A.K. Gautam learned counsel for respondent No.2.

2- This is a petition under section 482 of the Code of Criminal Procedure (for short 'Code') for quashing of the proceedings of case crime No. 84/2003.

3- From the record it is revealed that in relation to a single incident charge sheet has been submitted against few of the accused after investigation and whereas written compliant was filed against the others and they were summoned by the learned Magistrate after compliance of the provisions of Chapter XV of the Code of Criminal Procedure (for short 'Court'). Since accused of both the cases have been arraigned in respective cases for same offence the two cases, one on the police report and the other on the compliant case, are to be consolidated and tried by the same Magistrate under section 210 of the 'Code.'

4- In view of above the criminal case No. 482/2003 Ajmer Singh Vs. Samsher Singh and others and criminal case (state case) No. 1033/2003 State vs. Samsher Singh and others are directed to be consolidated and shall be tried as such according to law. The petition is accordingly disposed of.

(**Irshad Hussain, J.)**

Dated: 20-12-2003

ISB